HE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: OSBAKKEN et al.

APR 1 5 2004

Serial No.: 09/942,959

Confirmation No.: 7962

Filed:

August 31, 2001

For:

AEROSOLIZED ANTI-INFECTIVES, ANTI-INFLAMMATORIES, AND DECONGESTANTS FOR THE TREATMENT OF SINUSITIS

Art Unit:

Unassigned

Examiner:

Unassigned

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Date of Deposit October 9, 2002

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Commissioner for Patents, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA

Michael Lough

PRELIMINARY AMENDMENT

Commissioner for Patents U.S. Patent and Trademark Office P.O. Box 2327 Arlington, VA 22202

Dear Sir:

Preliminary to examination of the above-captioned patent application, please amend the application as follows:

IN THE SPECIFICATION:

On page 1, please replace paragraph 0001 with the following:

[0001] This application is related to PCT/US00/18410, filed July 5, 2000, U.S. Application 09/577,623, filed May 25, 2000, U.S. Provisional Applications 60/142,618, 60/142,620, 60/142,621, 60/142,622, 60/142,624, 60/142,741, and 60/142,881, all filed on July 6, 1999, and U.S. Provisional Applications 60/193,507, 60/193,508, 60/193,509, 60/193,510, and 60/194,078, all filed on April 3, 2000. All of the above-listed applications are hereby incorporated by reference in their entireties.

IN THE CLAIMS:

Please cancel pending claims 1-37 without prejudice or disclaimer, and add new claims 38-72 as follows:

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ATTACHMENT TO THE PRELIMINARY AMENDMENT

The following attachment is provided:

(1) A marked up paragraph in accordance with 37 C.F.R. §1.121.